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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,442	04/12/2004	William M. Randle	3994893-139698.2	4808

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EXAMINER

BACKER, FIRMIN

ART UNIT PAPER NUMBER

3621

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/823,442

Applicant(s)

RANDLE ET AL.

Examiner

FIRMIN BACKER

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 199, 200, 202-204, 206, 208, 213-217 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 199, 200, 202-204, 206, 208 and 213-217 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 199, 200, 202-204, 206, 208 and 213-217 are rejected under 35 U.S.C. 102(b) as being anticipated by Bellinger et al. (U.S Patent No. 5,870,725):
4. As per claim 199, Bellinger et al teach a check processing system comprising a capture station including an imaging device adapted to capture an electronic image or images of a check and, if any, indicia associated with presentation of the check wherein the check has at least one information field containing transaction-data; means for recognizing the at least one transaction data field within the image captured; wherein the capture station further includes: 1) means for extracting transaction data from the image or images captured into at least one data file; 2) means for providing a security marker to each of the extracted data and the image or images to uniquely associated the extracted data and the image or images with each other and with the check and

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any indicia associated with presentation of the check: 3) means for digitally signing the image or images captured and at least one data file with a unique identifier associated with the capture station and a data storage means interconnected with the Imaging device adapted to receive and store the image or images captured, and the at least one data file, an agent server interconnected with the capture station and adapted to: 1) receive from the capture station the image or images captured and the at least one data file and digitally sign the image or images captured and at least one data file with a unique identifier associated with the agent server; 2) store the image or captured, and the at least one data file; and 3) to electronically transmit at least one of the image or images captured and the at least one data file to a central server for validation a central server interconnected with a network and with the agent server, the central server, including means to receive, upon transmission from the agent server, either the image or images captured, or the at least one data file or both.; 2) to validate at least one of the digital signature of the capture station or the digital signature of the agent server; 3) to timestamp the image or images captured and at least one data file received or both; 4) to identify a target within the network for transmission of the image or images captured or the at least one data file or both for the performance of a service by the network target with respect to the check captured; and 5) to transmit at least one of the image or images captured and at least one data file to the target for the performance of the service; wherein the extracted data and the image or images can be matched in accordance with the security marker and associated with each other and with the check and any indicia associated with presentation of the check and recombined with each other at any step in the processing sequence of the check such that the security marker Insures that the data and image or images

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have not been tampered with between transmission endpoints (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

5. As per claim 200, Bellinger et al teach a check processing system wherein the image or images captured or at least one data file is transmitted to the central server at 1) one of the time of receipt from the capture station 2) a scheduled time other than the time of capture (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

6. As per claim 202, Bellinger et al teach a check processing system wherein the transaction data one or more of Information contained within a MICR line of the check, an identification of a check payee and a check amount (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

7. As per claim 203, Bellinger et al teach a check processing system wherein the image captured associated with a transaction is transmitted to the tablet at a time that does not coincide with a time of transmission of an associated at least one data file associated with the transaction to the central server, and the at least one data file and the corresponding image or images captured and the data file are re-associated with each other either at the central server or the agent upon the completion of receipt of both the image or images and the data file at either the central server or the agent (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

8. As per claim 204, Bellinger et al teach a check processing system further comprising a capture quality control processor for comparing a pre-capture quality control value with a

postcapture quality control value and for accepting a corresponding image or images captured or at least one data file for further processing only if the pre-capture value and the post capture value meet predefined quality control criteria (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

9. As per claim 206, 216 and 217, Bellinger et al teach a check processing system further comprising an administration services controller interconnected with the capture station, agent server, central server and network target that limits access to at least one of the capture station, agent server, central server and network target in accordance with predetermined at, teas criteria baaed upon characteristics of at least one service function requested to be performed by the at least one of the capture station, agent server, central server, and network (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

10. As per claim 208, Bellinger et al teach a check processing system wherein the transmission of the image or images captured or at least one data file from the central server to the network target is in accordance with at least one of a real time or batch processing schedule associated with the submission of items into a clearing house (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

11. As per claim 213, Bellinger et al teach a check processing system wherein the validation provides an approved or not approved signal transmitted to the capture station, representing the allowance or denial of further processing of the transaction, and upon successful validation, the

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central server stores the image or images file, the transaction data file and the unique association between the files in a central database, stamps each file with a synchronized timestamp, end transmits a success message to the capture station and the locally stored image or images file and the transaction file and the unique association between them is marked with a synchronized timestamp (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

12. As per claim 214, Bellinger et al teach a check processing system including a non-validation override based on predetermined criteria maintained at the central server, wherein, upon the event of an unsuccessful validation, the capture station transmits a code for receipt by the central server requesting permission to override the unsuccessful validation, whereby upon recognition of the code as an authorized override request, the central server searches for a match of the request code in a data base of predetermined criteria, and upon verifying a match, approves the transaction without validation and the transaction is transmitted in the network for subsequent processing to a predetermined endpoint (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

13. As per claim 215, Bellinger et al teach a check processing system adapted for check processing wherein if a predetermined endpoint is not provided in the data base associated with the code request for an override, the check presented at the capture stations routed for exception processing (*see figs 2A-2C, 3B, column 12 line 1-54, 14 lines 9-16 line 52*).

*Conclusion*

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (*see form 892*).

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

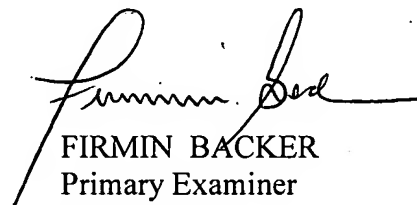
Any inquiry concerning this communication or earlier communications from the examiner should be directed to FIRMIN BACKER whose telephone number is 571-272-6703. The examiner can normally be reached on Monday - Thursday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



FIRMIN BACKER  
Primary Examiner  
Art Unit 3621

November 2, 2006